

REMARKS

Claims 1, 3-8, 10-12 and 14-16 are pending in this application, claims 6-8, 10-12 and 14-16 having been withdrawn from consideration. By this Amendment, claim 1 is amended, and claims 2, 9 and 13 are canceled without prejudice to or disclaimer of the subject matter set forth therein. Support for the amendment to claim 1 can be found in the specification as originally filed, for example, at page 13, lines 19-22 and in claims 1 and 2 as originally filed. No new matter is added by the amendment.

I. Restriction Requirement

A telephone requirement for restriction was made in connection with the above-identified patent application on August 24, 2004. In response to that telephone requirement, a provisional election was made, on August 27, 2004, to prosecute Group I, claims 1-5. Said provisional election was made with traverse.

Applicants respectfully submit that the election of Group I, claims 1-5 was affirmed by the Confirmation of Telephone Election filed on August 27, 2004.

In addition, Applicants respectfully submit that claims 10-12, which are drawn to a conductive metal paste, should be considered with claim 7 as part of Group III, and that claims 14-16, which are drawn to a multilayer ceramic capacitor, should be considered with claim 8 as part of Group IV.

It is also respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis

added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Applicants further respectfully submit that, because claims 1 and 3-5 are in condition for allowance for the reasons set forth below, claims 6-8, 10-12 and 14-16 should be rejoined and considered on the merits at this time.

Thus, withdrawal of the Restriction Requirement and rejoinder of claims 6-8, 10-12 and 14-16 are respectfully requested.

II. Rejections Under 35 U.S.C. §102

The Office Action rejects claims 1 and 3-5 under 35 U.S.C. §102(e) over U.S. Patent No. 6,503,291 to Hosokura et al. While Applicants do not necessarily agree with this rejection, claim 1 has been amended to incorporate the subject matter of non-rejected claim 2. Applicants thank the Examiner for the indication that original claim 2 contains allowable subject matter. Applicants respectfully submit that, for at least the same reasons that original claim 2 is patentable, claim 1 and its dependent claims are patentable. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-8, 10-12 and 14-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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